

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AARON ABADI,

Plaintiff,

-against-

AMERICAN AIRLINES, INC., et al.,

Defendants.

Case No.: 1:23-cv-04033-LJL

**NOTICE OF MEDAIRE, INC.'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that defendant MedAire, Inc. (“MedAire”), by and through its attorneys Victor Rane, PLC, will and hereby does move this Court at the United States District Court for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, New York 10007, before the Honorable Lewis J. Liman, United States District Judge, on a date and time to be set by the Court, for an order dismissing Plaintiff’s Complaint as against MedAire pursuant to Federal Rule of Civil Procedure 12(b)(1), 12(b)(2), and 12(b)(6) for lack of subject matter jurisdiction, lack of personal jurisdiction, for failure to state a claim upon which relief can be granted, and for any other relief deemed appropriate by the Court.

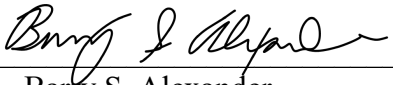
MedAire's Motion to Dismiss is based upon this Notice, and the attached Memorandum of Law in Support, filed concurrently herewith, the records, pleadings, and documents on file in this matter, and any such oral and/or documentary evidence as may be presented prior to, or at the time of, a hearing on this matter as scheduled by the Court. For the reasons detailed above and herein, MedAire's Motion to Dismiss should be granted in its entirety.

Additionally, in compliance with Local Civil Rule 7.2 Authorities to Be Provided to Pro Se Litigants, MedAire will send a separate email to Plaintiff with copies of the unpublished cases cited in the Memorandum of Law in Support.

**PLEASE TAKE FURTHER NOTICE** that Plaintiff will be required to respond in accordance with any briefing schedule set by the Court, or if no such schedule is set, Plaintiff's opposing affidavits and answering memoranda must be served by January 15, 2024 (within four weeks of service of the motion papers) and MedAire's reply papers will be served within two weeks of the receipt of opposition papers, in accordance with the S.D.N.Y. Local Rule 6.1 and the Court's Individual Practice 2(K).

Dated: New York, New York  
December 18, 2023

Respectfully Submitted,

By:   
Barry S. Alexander

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## CERTIFICATE OF SERVICE

On December 18, 2023, I caused a true and accurate copy of the foregoing Notice of MedAire, Inc.'s Motion to Dismiss to be served on all counsel of record on the Court's CM/ECF system and on Plaintiff Aaron Abadi via email and First Class U.S. Mail:

Mr. Aaron Abadi  
82 Nassau Street, Apartment 140  
New York, New York 10038  
[abadi.rne@gmail.com](mailto:abadi.rne@gmail.com)

Dated: New York, New York  
December 18, 2023

By: Barry S. Alexander  
Barry S. Alexander

Victor Rane  
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